



Order Filed on July 5, 2016  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-2(c)**

STERN, LAVINTHAL & FRANKENBERG, LLC  
105 Eisenhower Parkway, Suite 302  
Roseland, NJ 07068  
Phone: (973) 797-1100  
Fax: (973) 228-2679  
Attorney for Secured Creditor,  
**Seterus, Inc. as the authorized subservicer for  
Federal National Mortgage Association ("Fannie  
Mae"), creditor c/o Seterus, Inc.**  
By: Jeanette F. Frankenberg, Esq.

In Re:

**David Rusin**

**Una Rusin**

Debtor(s).

Case No.: 15-14170-KCF

Chapter: 13

Hearing Date: April 27, 2016

Judge: Kathryn C. Ferguson, Chief Judge

**CONSENT ORDER RESOLVING MOTION TO VACATE STAY**

The consent order set forth on the following pages, numbered two (2) through three (3),  
is hereby **ORDERED**.

**DATED: July 5, 2016**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

Page | 2

Debtor: David Rusin and Una Rusin

Case No: 15-14170-KCF

Caption: Consent Order Resolving Motion to Vacate Stay

---

Applicant:	<u>Seterus, Inc. as the authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), creditor c/o Seterus, Inc.</u>
Applicant's Counsel:	<u>Stern Lavinthal &amp; Frankenberg, LLC</u>
Debtor's Counsel:	<u>Jay Feldman, Esq.</u>
Property Involved ("Collateral"):	<u>1312 Spruce Avenue, Ocean, NJ 07712</u>

Relief sought:

- ✓ Motion for relief from the automatic stay

Motion to dismiss

Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtors are overdue for 8 months, from November 1, 2015 to June 1, 2016.
- The Debtors are overdue for 8 payments at \$1,732.62 per month.
- Less Funds held in debtor(s) suspense \$1,032.32

Total Arrearages Due \$12,828.64.

2. Debtors must cure all post-petition arrearages, as follows:

- Less payment in the amount of \$1,732.62 made on or about April 29, 2016.
- Less payment in the amount of \$1,732.62 made on or about May 31, 2016.
- Beginning on July 1, 2016, regular monthly mortgage payments shall continue to be made in the amount \$1,732.62.
- On or before July 31, 2016, Debtors shall make a lump sum payment in the amount of \$4,681.70.
- Beginning on September 1, 2016, additional monthly cure payments shall be made in the amount of \$520.19 for 9 months.

3. Payments to the Secured Creditor shall be made to the following address(es):

Page | 3

Debtor: David Rusin and Una Rusin

Case No: 15-14170-KCF

Caption: Consent Order Resolving Motion to Vacate Stay

---

- ✓ Lump Sum payment: Seterus, Inc.  
P.O. Box 1047  
Hartford, CT 06143
- ✓ Regular monthly payment: Seterus, Inc.  
P.O. Box 1047  
Hartford, CT 06143
- ✓ Monthly cure payment: Seterus, Inc.  
P.O. Box 1047  
Hartford, CT 06143


In the event of Default:

If the Debtors fail to make the lump sum payment specified above or fail to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

4. Award of Attorneys' Fees:

- ✓ The Applicant is awarded attorney's fees of \$350.00, and costs of \$176.00. The fees and costs are payable through the Chapter 13 plan..

The undersigned hereby consent to the form and entry of the foregoing order

  
Jay B. Feldman, Esq.  
Attorney for the Debtors,  
David Rusin and Una Rusin

/s/ Jeanette F. Frankenberg, Esq.  
Jeanette F. Frankenberg, Esq.  
Attorney for Secured Creditor,  
Seterus, Inc. as the authorized subservicer  
for Federal National Mortgage Association  
("Fannie Mae"), creditor c/o Seterus, Inc.